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PATENT

Attorney Docket: P04179US0

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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APR X 2 2001

APPLICANTS: PETER V. BOESEN, M.D. )

)

Technology Center 2100

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SERIAL NO: 09/558,519 ) ART UNIT: 2768

)

CONF. NO. 9687 )

)

FILED: April 26, 2000 ) EXAMINER:

)

TITLE: POINT OF SERVICE BILLING )  
AND RECORDS SYSTEM )PETITION TO MAKE SPECIAL BECAUSE OF ACTUAL INFRINGEMENT (37  
C.F.R. 1.102 AND MPEP 708.02)Assistant Commissioner for Patents  
Washington, D.C. 20231

Applicant hereby petitions to make this application special  
because of actual infringement.

## =====

## CERTIFICATE OF MAILING BY EXPRESS MAIL

I hereby certify that this document and the documents referred to as enclosed therein are being deposited with the U.S. Postal Service in an envelope as "Express Mail Post Office to Addressee" addressed to: Assistant Commissioner for Patents, Box Amendment, Washington, D.C. 20231, on the 27th day of March, 2001.

Betty J. Albritton  
Betty J. Albritton  
Express Mail Label # EL515382018US

**1. Statement**

made by

- Applicant
- Assignee
- Attorney or agent

We allege the following:

(A) There is

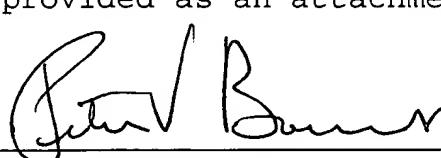
- an infringing device or product actually on the market
- an infringing method in use;

(B) A rigid comparison of the alleged infringing device, product or method with the claims, as amended by the preliminary amendment of today's date and under separate cover of the application has been made, and in our opinion, at least one of the amended claims is unquestionably infringed; and

(C) We have made or caused to be made a careful and thorough search of the prior art or have a good knowledge of the pertinent prior art. This prior art was submitted to the U.S. Patent Office in the Information Disclosure Statements dated March 1, 2001 and July 6, 2000.

Copies of any reference not already of record which is deemed to be most closely related to the subject matter encompassed by the claims is provided as an attachment hereto.

Date: 3-26-2001

  
Peter V. Boesen, M.D.

2. Fee (37 C.F.R. 1.17(i))

The fee required is to be paid by:

the attached check for \$130.00.  
 charging Account \_\_\_\_\_ the sum of

\$130.00. A duplicate of this petition is attached.

Respectfully submitted,



JOHN D. GOODHUE, Reg. No. 47,603  
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